

REMARKS

Claims 1-7 are pending in the present application.

The claims are believed to be allowable for the reasons set forth herein. Notice thereof is respectfully requested.

Restriction Requirement

Claims 8 and 9 are cancelled.

Comments Regarding Paragraph 2

The Examiner has indicated that the compounds of Formula (I) have not been claimed separately whereas those of Formula (II) have been. Applicants respectfully disagree.

Formula II is a subgenus of Formula I wherein Z is -C-C(L-R)-C- for the subgenus. In each case the claim is directed to an ink jet recording material comprising a compound with a specific formula.

The Applicants are aware of, and have complied with in good faith, the duty of candor. It is incumbent upon the Office to carry out a complete and thorough search without mere reliance on a statement from the Applicant that a compound is not known to exist.

In the instant case the application was subject to an election requirement. A search by the Office of the elected species failed to provide any art sufficient to provide a basis of rejection as indicated by the allowability of claims 2 and 3. Applicants respectfully request that the genus now be searched if it has not been previously done. If it has been done notice thereof is requested.

Rejections Under 35 U.S.C. 103(a)

Claims 1 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickramanayake et al (US 2003/017451).

The Office opines that Wickramanayake et al. discloses treating silica with a compound that may be a pyridyl compound and has light stabilizing properties. Applicant respectfully submits that a pyridyl compound can not correspond to the compound of Formula I due to the presence of substituent "X" at the ring nitrogen in Formula I. Pyridyl is an aromatic ring and can not have substitution at the ring nitrogen since this would then be a pyridinium ring.

The rejection of claims 1 and 4-7 is improperly rejected based on a disclosure which does not teach the compound of Formula I and does not lead one of skill in the art to a compound of Formula I.

The rejection of claims 1 and 4-7 is traversed and notice thereof is respectfully requested.

CONCLUSIONS

Claims 1-7 are pending in the present application. All claims are believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,


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January 17, 2006